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ACT 1652  
JFW  
PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Thomas C. Evans, Ming--qunXu

Application No.: 09/249,543

Group No.: 1652

Filed: February 12, 1999

Examiner: Moore, William

For: Intein-Mediated Protein Ligation of Expressed Proteins

**Mail Stop AF**

**Commissioner for Patents**

**P.O. Box 1450**

**Alexandria, VA 22313-1450**

**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES  
(37 C.F.R. § 1.191)**

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed March 10, 2004, finally rejecting claims 63-89 and objecting to claim 90.

**1. STATUS OF APPLICANT**

This application is on behalf of a small entity. A statement was already filed on February 12, 1999.

**CERTIFICATION UNDER 37 C.F.R. " 1.8(a) and 1.10\***

(When using Express Mail, the Express Mail label number is *mandatory*;  
*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

**MAILING**

X deposited with the United States Postal Service in an envelope addressed to the Mail Stop AF, Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

X with sufficient postage as first class mail.

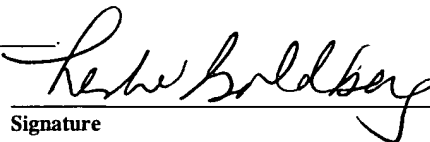
**37 C.F.R. § 1.10\***

G as "Express Mail Post Office to Addressee"

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**TRANSMISSION**

G facsimile transmitted to the Patent and Trademark Office, (703) \_\_\_\_\_

  
Signature

Date: August 17, 2004

Leslie Goldberg  
(type or print name of person certifying)

*\* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.*

Notice of Appeal from the Primary Examiner to Board--page 1 of

08/23/2004 09249543 165.00 0P  
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**2. FEE FOR FILING NOTICE OF APPEAL**

Pursuant to 37 C.F.R. § 1.17(b), the fee for filing the Appeal Brief is:

Small entity \$165.00

Notice of Appeal fee due \$165.00

**3. EXTENSION OF TERM**

The proceedings herein are for a patent application and the provisions of 37 C.F.R.1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

Fee \$475.00

If an additional extension of time is required, please consider this a petition therefor.

**4. TOTAL FEE DUE**

The total fee due is:

Notice of Appeal fee \$165.00

Extension fee \$475.00

**TOTAL FEE DUE \$640.00**

**5. FEE PAYMENT**

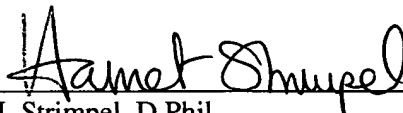
Attached is a check in the amount of \$640.00.

A duplicate of this transmittal is attached.

**6. FEE DEFICIENCY**

If any additional extension and/or fee is required, and if any additional fee for claims is required, charge Deposit Account No. 14-0740.

Date: August 17, 2004



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